

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

DARRELL J. HARPER, #1957729	§	
VS.	§	CIVIL ACTION NO. 6:15cv1017
DIRECTOR, TDCJ-CID	§	

ORDER OF DISMISSAL

Petitioner Darrell J. Harper, an inmate confined at the Ellis Unit of the Texas prison system, proceeding *pro se*, filed the above-styled and numbered petition for a writ of habeas corpus. The complaint was referred to United States Magistrate Judge K. Nicole Mitchell, who issued a Report and Recommendation concluding that the petition should be dismissed pursuant to sanctions imposed by the Fifth Circuit. Petitioner has filed objections.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by Petitioner, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections by Petitioner are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly


ORDERED that the Report and Recommendation (docket entry #4) is **ADOPTED**. It is further

ORDERED that the cause of action is **DISMISSED** without prejudice as barred by the sanctions imposed by the Fifth Circuit Court of Appeals. It is finally

ORDERED that all motions not previously ruled on are **DENIED**.

It is SO ORDERED.

SIGNED this 16th day of December, 2015.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE